

Directorate General of Shipping (DGS)
Training Circular No. [XXX], [Date-XXX]

Sub.: Guidelines for Changes in Name, Structure, and Composition of Maritime Training Institutes (MTIs) and the Management of Trusts and Section 8 Companies.

1. Whereas, the Directorate General of Shipping has observed instances where Trusts or Sec. 8 Companies managing MTIs seek approvals and subsequently modify their organizational structure or names. While such changes has to comply with governing statutory frameworks (e.g., the Maharashtra Public Trust Act, 1950, Regional Trust Act, or the Companies Act, 2013), they may impact the governance, objectives, and integrity of these institutions. These circular aims to address such concerns, mitigate potential misuse, and maintain transparency.

2. Whereas, the In-principal approval for an MTI is fundamentally based on the original structure and objectives of the Trust or Section 8 Company which is in compliance with the **DGS Order 05 of 2016 dated 01.11.2016, DGS Order 07 of 2016 dated 17.11.2016 and Training Circular 17 of 2018 dated 18.05.2018**. It is essential to ensure that the objectives stated in the Trust deed and the Memorandum of Association (MOA) & Articles of Association (AOA) remain consistent with those presented at the time of obtaining approval.

3. Whereas, the Changes in management, including alterations to the Board of Directors or Trustees, fall under administrative procedures governed by relevant statutory requirements designated authorities. Such changes must be duly notified to the Directorate for review, particularly to ensure that these modifications to the MOA, AOA and objectives of the Trust deed which will impact the aim and objective of MTI. If any modifications occur, the Directorate may reconsider the MTI's approval status.

4. Whereas, to address these concerns, the Directorate, in consultation with the STCW Compliance Board of the DGS, has reviewed these gaps and decided to issue this circular, establishing a structured mechanism to

manage changes in the name of the MTI, Trust, or the Trustees and Directors of Section 8 Companies.

5. The following guidelines are to be strictly adhered by all MTIs and their management, with timely updates provided to the Directorate.

5.1. Requirements for Changing the Name of Maritime Training Institute (MTI)

5.1.1. Affidavit for Change of Name of MTI:

5.1.1.1. The MTI must submit an affidavit to the Directorate General of Shipping (DGS) detailing the current name and the proposed name change.

This submission should include:

5.1.1.1.1. A copy of minutes of the Initial Board Meeting Documenting discussions and approval of the proposed name change.

5.1.1.1.2. A Copy of the Resolution Passed by the governing body authorizing the name change.

5.1.1.1.3. Justification for the Name Change, a rationale explaining the necessity or benefits of changing the name.

5.1.1.1.4. Information on updates required for official records, including any impacts on accreditation or recognition.

5.1.2. Publication of Notification:

5.1.2.1. The MTI is required to publish a notice regarding the proposed name change in both local and national newspapers, ensuring it appears in both regional and English language publications within **2 weeks** from the date of submitting an affidavit requesting proposed name change.

5.1.2.2. If there are any objects raised by the stakeholders same should be answered and recorded.

5.1.3. Gazette Notification

5.1.3.1. Following publication in newspapers, the MTI must formally register the name change in the official gazette of the State by submitting a deed changing name form to the gazette office along with necessary documents, including copies of newspaper publications.

5.1.4. Approval from DGS:

5.1.4.1. After completing above steps, submit the affidavit with all supporting documents mentioned above along with a amendments to

Bylaws or Trust Deed Provide revised bylaws or trust deed reflecting the new name of Trustee & Director (if applicable) to DGS for review.

5.1.4.2. Following the compliance check by DGS with regulations and guidelines and upon ensuring compliance with all aforementioned steps, DGS will issue a formal approval letter recognizing the change of name under DGS records of approved MTIs.

5.1.5. Institutional Record Updates

5.1.5.1. After receiving DGS approval, the MTI must verify and update all institutional records, which include:

5.1.5.1.1. Registration Documents: Update with relevant authorities to reflect the new name.

5.1.5.1.2. Bank Accounts: Ensure that financial institutions are notified and records are updated.

5.1.6. Compliance with Educational Authorities

5.1.6.1. The MTI must notify relevant educational authorities, such as universities or boards, about the name change to ensure that all records are updated accordingly. This step is crucial for maintaining accreditation and recognition of courses offered by the institute.

6. It is noted that, the above mentioned requirements for change of the name of MTI must be completed within **30 (thirty) days** from the date of submitting an affidavit letter requesting change of name of the MTI to the DG Shipping.

7. Requirements for the Change in the Name of Trust/ Trustee

7.1. The formal letter submitted to the Directorate must be accompanied by the following documents to ensure compliance with DGS guidelines within **two (2) weeks** of any change in management or trust name:

7.1.1. Notifications submit to the DGS.

7.1.1.1. The formal notification should be submitted to the Directorate
Complying following documents:

7.1.1.1.1. A copy of Board Resolution of trustees.

7.1.1.1.2. A copy of any amendments to the trust deed reflecting the new name or objectives of the Trust.

7.1.1.1.3. A Copy of Application along with Documentation Submitted to the Charity Commissioner for the proposed changes.

7.1.1.1.4. A copy of the public notification regarding the name change of Trustee / Director.

7.1.1.1.5. A copy of Approval Letter from Charity Commissioner confirming the change of Name.

7.1.1.1.6. A copy of Updated Trust Records for Verification reflecting the new changes.

8. Requirements for Change of Directors in Section 8 Companies

8.1. The MTI management must submit the following documents to the DG Shipping within two weeks of any change in management or directors, to ensure compliance with the DGS guidelines:

8.1.1. Notification to the DGS

8.1.1.1. Notifications shall be submitted with the following documents;

8.1.1.1.1. A copy of all the supporting documents along with a copy of the application submitted to the Registrar of Companies (ROC) for the change or new appointment of Directors. (which includes new DIN No, Consent letters (Form DIR-2), Declaration of disqualification etc.) if applicable.

8.1.1.1.2. A copy of any amendments made to the Memorandum of Association (MOA) or Articles of Association (AOA).

9. This structured approach will facilitate transparency, compliance, and efficiency in managing changes within the MTI established through Trust or Company and it is essential that all the records are updated on the DGS MTI Trust Portal.

10. This directive is issued with the approval of the Director General of Shipping.

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Dy. Director General of Shipping (Training)

To:

1. All Maritime Training Institutes
2. All Principal Officers, MMD
3. NT, Engineering Wing
4. IT & E-gov. Branch.